

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

RICHARD WAYNE WRIGHT, SR.,)
AIS #187140,)
Plaintiff,)
v.) CIVIL ACTION NO. 2:05-CV-439-A
SYLVESTER NETTLES, et al.,)
Defendants.)

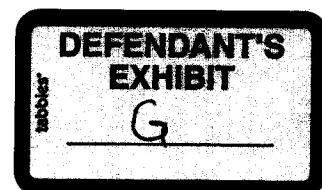
A F F I D A V I T

Before me, the undersigned authority, a Notary Public, in and for said County and State of Alabama at Large, personally appeared Janet Hicks, who being known to me, and being by me first duly sworn, deposes and says under oath as follows:

My name is Janet Hicks, and I am presently employed as a Correctional Officer Supervisor I, with the Alabama Department of Corrections, Frank Lee Youth Center, Post Office Box 220410, Deatsville, Alabama 36022. I am over twenty-one (21) years of age.

In his complaint, inmate Richard Wayne Wright, Sr., B/187140, alleges that I, Lt. Janet Hicks, was permitted to alter the date on the attached rescheduling notice on a disciplinary, under the supervision of Capt. Sylvester Nettles. This allegation is false.

I did serve the attached rescheduling notice due to Officer Brenda Austin, the Arresting Officer, being out on sick leave. I did not date the form; therefore, I did not alter the date on the form. There is no line/space for the date the form was served, only a line/space for the date the hearing was scheduled and the rescheduled date.

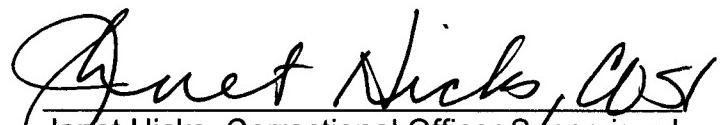


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However, the initial disciplinary was not pressed by me, the Hearing Officer, at the request of Capt. Nettles, and it was recommended that it be re-initiated. All was done within the guidelines of Administrative Regulation #403.

At no time did I violate inmate Wright's constitutional rights. My actions were within the procedural guidelines of Administrative Regulation #403.

This statement is true and correct.



Janet Hicks, COI
Janet Hicks, Correctional Officer Supervisor I
Frank Lee Youth Center
Alabama Department of Corrections

STATE OF ALABAMA)

COUNTY OF BULLOCK)

SWORN TO AND SUBSCRIBED before me and given under my hand and official seal
on this the 31st day of August 2005.



Deborah Chasteen
NOTARY PUBLIC

My Commission Expires: 3/15/06.

